In re: Welch et al. Serial No.: 09/889,645

Filed: January 24, 2002

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REMARKS

Applicants appreciate the thorough examination of the present application as evidenced by the final Office Action dated April 30, 2007 (hereinafter, "Final Action").

Claims 1, 3, 6-19, 23, 25-27, 29, 30 and 32 stand rejected, and the Final Action objects to Claims 23, 28 and 31. Upon entry of the present Amendment, Claims 1-3, 6-16, 25, 28, 31 and 32 are pending in the present application. Applicants have amended the claims as provided herein in order to expedite allowance of the pending claims. Applicants respectfully submit that Claims 1-3, 6-16, 25, 28, 31 and 32 are patentable at least in view of the comments provided below.

I. <u>Claim Objections</u>

The Final Action asserts that Claims 23, 28 and 31 stand objected to because the claims depend from rejected Claim 1. *See* Final Action, page 2.

Applicants have incorporated the recitations of Claim 23 into independent Claim 1. Claim 28 now depends from amended Claim 1. Applicants respectfully submit that Claim 31 does not depend from Claim 1, but is instead, an independent claim and does not stand rejected in the Final Action.

Accordingly, Applicants respectfully submit that the objection to Claims 23 and 31 have been addressed, and Applicants respectfully request that this rejection be withdrawn.

II. Claim Rejections Under 35 U.S.C. §112, First Paragraph

Applicants appreciate the indication that the rejection of Claims 1, 17, 18, 26 and 27 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement has been withdrawn. *See* Final Action, page 2. However, the rejection of these claims under 35 U.S.C. §112, second paragraph, as lacking enablement has been maintained for reasons of record. *See* Final Action, page 2. As noted above, Applicants have incorporated the recitations of Claim 23 into Claim 1, and Applicants have canceled Claims 17, 18, 26 and 27.

Accordingly, Applicants respectfully submit that the enablement rejection of Claim 1 has been addressed, and Applicants respectfully request that the rejection of Claim 1 be withdrawn.

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III. Claim Rejections Under 35 U.S.C. §103

The rejection of Claims 1, 3, 6-19, 25-27, 29, 30 and 32 under 35 U.S.C. §103(a) as being obvious in view of GB 2 045 828 A to Ostreicher et al. in view of WO 96/05846 to Nebe as evidenced by Encyclopedia Britannica has been maintained. *See* Final Action, page 3.

As indicated above, Applicants have amended Claim 1 to incorporate the recitations of Claim 23. Applicants have also canceled Claims 17-19, 26, 27, 29 and 30. Claims 3, 6-16, 25 and 32 now depend from amended Claim 1.

Accordingly, the obviousness rejection of Claims 1, 3, 6-19, 25-27, 29, 30 and 32 have been overcome or obviated, and Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

For at least the reasons discussed above, Applicants respectfully submit that the application has been placed in condition for allowance, and Applicants respectfully request allowance of all the pending claims and issuance of this application.

Any questions that the Examiner may have should be directed to the undersigned, who may be reached at (919) 854-1400.

Respectfully submitted,

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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on July 12, 2007.

Laneisha C. Hayes-Date of Signature: July 12. 2007